

Order Dated 29.01.2008

Coram : Hon'ble Shri C.R. Mohapatra, Member(A)

Mr.P.K. Mohapatra, Ld. Counsel for the applicant appears and submits that the applicant who secured the highest mark in response to the advertisement vide Annexure-A/1 has not been given appointment against the unreserved post of Postal Assistant under the Supdt. of Post Offices, Dhenkanal Division. Though some information was collected by the applicant at Annexure-A/4, it reveals that the applicant secured 56.48 marks but he was not given appointment as it was less than 60.33 of Aska Division i.e. lowest mark of Postal Divisions in the Circle secured by the last direct. recruitee.

2. Mr. U.B. Mohapatra, Sr. Standing Counsel appears for the Respondents and submits that since the conditions prescribed in the advertisement at Annexure-A/1 have not been violated and no irregularity is committed, there is nothing to be interfered with at this stage.

3. The applicant's interim relief is to declare the select list as invalid. This does not seem to have any force, as it is very clear that no select list could have been drawn as the applicant himself was the person who secured highest mark in the Dhenkanal Division and was not in the Select List. Similarly in the Relief sought for, he has requested for quashing Annexure-A/4 containing information obtained by the applicant under RTI Act. So quashing of this Annexure-A/4 is not within the ambit of this Tribunal.

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4. Mr.P.K. Mohapatra, Ld. Counsel for the applicant seeks to withdraw this Original Application and prays for being allowed to file a fresh O.A.

5. Accordingly, this Original Application is disposed of at the admission stage with the liberty to the applicant to file a fresh Original Application if so advised. No order as to cost.

6. Send copies of this order to Ld. Counsels appearing for both sides.


MEMBER (A)